

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CECIL JEROME HATCHETT,
Petitioner,
v.
KEN CLARK,
Respondent.

No. 2:22-cv-1361 DJC AC P

ORDER

Petitioner, a state prisoner proceeding pro se and in forma pauperis, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 31, 2023, the Magistrate Judge issued findings and recommendations herein which were served on Petitioner, and which contained notice to Petitioner that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 9.) Petitioner has filed objections to the findings and recommendations. (ECF No. 10.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be

1 supported by the record and by proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations issued May 31, 2023 (ECF No. 9), are
4 ADOPTED in full;

5 2. Petitioner's application for a petition for writ of habeas corpus is DISMISSED
6 with prejudice as successive. See 28 U.S.C. § 2244(a), and

7 3. The Court declines to issue the certificate of appealability referenced in 28
8 U.S.C. § 2253 as Petitioner has not made a substantial showing of the denial of a
9 constitutional right. See 28 U.S.C. § 2253(c)(2).

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11 IT IS SO ORDERED.

12 Dated: June 17, 2023


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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